

**REMARKS**

In the Office Action, claims 1-10, 12-22 and 24-34 were rejected. All pending claims are believed to be clearly allowable. Reconsideration and allowance of all pending claims are requested.

**Rejections Under 35 U.S.C. §103**

Claims 1-10, 12-22 and 24-34 stand rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent 5,182,432 (hereinafter "Lange") in view of U.S. Patent 6,794,882 (hereinafter "Jessup") and in view of U.S. Patent 6,150,927 (hereinafter "Nesbitt"). Claim 1, 12, 19, 22, 24 and 28 are independent. All of the recited claims are believed to be patentable as discussed below.

**Independent Claims 1, 12, 19, 22, 24 and 28 and Claims Depending Therefrom**

**Examiner's Analysis.**

The Examiner argued that Lange is believed to teach the claimed lamp assembly comprising a housing, a lamp disposed in the housing, and a lens disposed adjacent to the lamp. Additionally, the Examiner argued that Lange is believed to teach the claimed lens comprising a conductor adapted to lose electrical conductivity upon occurrence of a crack in the lens. The Examiner also argued that Lange is believed to teach the claimed monitoring system coupled to the conductor and configured to detect the loss of electrical continuity in the conductor.

However, the Examiner acknowledged that Lange does not teach or suggest the claimed system for transmitting a signal to a remote location, where the signal is representative of a state of continuity of the conductor. Rather, the Examiner argued that Jessup is believed to teach a system that detects breakage of a vehicle window by a rupture detector. In addition, the Examiner argued that Jessup is believed to teach that upon detecting that a rupture has taken place, an alarm mechanism initiates an alarm.

Because neither Lange nor Jessup teaches the recited communication system, however, the Examiner relied upon Nesbitt as teaching that upon detection of a signal change characteristic of a tear or a cut being made in the glass or seat of a vehicle, a computer initiates operation of local and remote reporter devices.

**Recited references do not support the purported motivation to combine.**

Lange actually discloses a circuit arrangement for a *motor vehicle headlight* with at least one electrically conductive heating element mounted on or in an enclosing light-transmissive shield. A switching-on apparatus allows for powering the heating element to avoid coating and ice build-up and providing crack-monitoring of the light transmissive shield in that the heating element is electrically coupled with an analyzing apparatus. Applicants submit that while Lange discloses a lamp assembly for a motor vehicle headlight configured to facilitate prevention of a coating or ice build-up, Lange fails to teach or suggest transmitting a signal indicative of a loss of electrical continuity in a conductor to a remote location. Because the vehicle driver is apparently alerted of any breakage, there is absolutely no need in Lange for communicating the breakage to a remote location.

Jessup discloses a *rupture detector for a windshield assembly* having one or more transparent members. The rupture detector includes a conductive member attached to a portion of the transparent member. Additionally, Jessup discloses an *alarm mechanism, such as an audio alarm or a visual alarm*, that is configured to initiate an alarm action in response to a crack in the windshield assembly. While Jessup discloses initiating an alarm in response to a crack, Applicants stress that Jessup fails to suggest or teach transmitting a signal indicative of a loss of electrical continuity in a conductor to a remote location. Here again, because Jessup relies upon the alarm, no signal is sent to any remote location.

Nesbitt teaches an *anti-vandalism detection and alarm system* for detection and reporting the scratching of relatively hard materials which generate characteristic sound or vibration frequencies during scratching, and detecting and reporting the cutting and slashing of relatively soft materials. In addition, Nesbitt teaches activating a radio to broadcast an alarm report to a reporting device that is remote from the vehicle, where the *alarm report is indicative of an act of vandalism*. Applicants stress that it is not surprising that an anti-vandalism detection system would transmit an alarm signal to a remote location. Accordingly, Applicants stress that while Nesbitt teaches an anti-vandalism detector such as methods and systems for detecting breakage and defacing of materials such as glass and plastic, there is no suggestion in Nesbitt to relate to detection of a crack in a lens. That is, Nesbitt does not consider breakage of a headlamp as warranting remote communication as it does not constitute intrusion or vandalism.

The Examiner argued that since Lange is believed to teach a system that detects a break in the lens of a vehicle headlamp, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of notifying the driver of the rupture, as disclosed by Jessup, as well as transmitting the signal to a remote location, as disclosed by Nesbitt, to ensure that the interested persons are notified of the ruptured or broken lens and can replace the lens.

Applicants submit that the only real distinction between the previous Office Action (mailed on October 6, 2005) and the present Office Action is the addition of Nesbitt to teach a remote monitoring system. Accordingly, Applicants submit that the Examiner implicitly admits that Lange and Jessup fail to teach a remote monitoring system and thereby included the Nesbitt reference. However, as described hereinabove, Applicants submit that there is no suggestion in Nesbitt to relate to detection of a crack in a lens. Indeed, even Nesbitt does not appear to equate a cracked headlamp lens to an act of vandalism such as breaking of a windshield.

Applicants here do not contend that any reference, itself, is separately lacking. Rather, the references simply cannot be reasonably combined to read on the pending claims. The motivation for remote communication of a crack in a lamp lens is simply lacking from all of the references.


In view of the arguments hereinabove, Applicants submit the Examiner fails to provide requisite motivation or suggestion for one of ordinary skill in the art to combine or modify the cited references. For at least these reasons among others summarized hereinabove, Applicants respectfully submit that the references relied upon by the Examiner cannot support a prima facie case of obviousness of claims 1, 12, 19, 22, 24 and 28. Accordingly, Applicants respectfully submit that independent claims 1, 12, 19, 22, 24 and 28, and claims depending therefrom are allowable and respectfully request the Examiner to reconsider rejection of the claims.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: 6/26/2006

  
\_\_\_\_\_  
Patrick S. Yoder  
Reg. No. 37,479  
FLETCHER YODER  
P.O. Box 692289  
Houston, TX 77269-2289  
(281) 970-4545